

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY**

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 5:14-00244

DONALD L. BLANKENSHIP

**RESPONSE OF THE UNITED STATES TO DEFENDANT'S
RENEWED MOTION TO TRANSFER TO ANOTHER DISTRICT FOR TRIAL**

Defendant previously moved to transfer this case to another district. (ECF 121). The Court held that motion in abeyance pending completion of the voir dire process. (ECF 232). Defendant now renews his previously-filed motion stating that “[t]he environment has not changed since the filing of [original] motion to transfer.” If “[t]he environment has not changed” since the filing of the original motion to transfer, then it has not changed since the Court held that motion in abeyance. Accordingly, the Court should strike the renewed motion and the United States would so move.

Notably, Defendant waited to file his renewed motion until he had received the completed juror questionnaires, but his motion makes no mention of those questionnaires at all. One may reasonably conclude that he fails to mention the questionnaires because they do not

support his argument for a transfer. Therefore, the United States requests that this Court continue to hold Defendant's original Motion to Transfer in abeyance pending completion of the voir dire process.

Respectfully Submitted,

/s/ R. Booth Goodwin II

R. Booth Goodwin II

United States Attorney

WV Bar No. 7165

300 Virginia Street, East

Room 4000

Charleston, WV 25301

Telephone: 304-345-2200

Fax: 304-347-5104

Email: booth.goodwin@usdoj.gov

CERTIFICATE OF SERVICE

It is hereby certified that the foregoing **“RESPONSE OF THE UNITED STATES TO DEFENDANT’S RENEWED MOTION TO TRANSFER TO ANOTHER DISTRICT FOR TRIAL”** has been electronically filed and service has been made on opposing counsel by virtue of such electronic filing this 30th day of September, 2015 to:

William W. Taylor, III
Blair G. Brown
Eric R. Delinsky
R. Miles Clark
Steven N. Herman
Zuckerman Spaeder LLP
1800 M Street, NW, Suite 1000
Washington, DC 20036

James A. Walls
Spilman Thomas & Battle, PLLC
48 Donley Street, Suite 800
P.O. Box 615
Morgantown, WV 26501

Alexander Macia
Spilman Thomas & Battle, PLLC
P.O. Box 273
Charleston, WV 25321

/s/ R. Booth Goodwin II
R. Booth Goodwin II
United States Attorney
WV Bar No. 7165
300 Virginia Street, East
Room 4000
Charleston, WV 25301
Telephone: 304-345-2200
Fax: 304-347-5104
Email: booth.goodwin@usdoj.gov